

(In the space above enter the full name(s) of the plaintiff(s).)

12 CV 00846

COMPLAINT

under the

Civil Rights Act, 42 U.S.C. § 1983

v.

Jury Trial: Yes ☒ No ☐
(check one)Defendant No. 1 New York City of CorrectionsDefendant No. 2 Dora B. Schurr

Commissioner of New York City Department of Corrections

Defendant No. 3 MR Robert N. Cripps

Warden of Anna M. Cross Center / C-95

Defendant No. 4 Honorable Michael R. Bloomberg

Mayor of New York City

Defendant No. 5 MR Raymond Kelly

Commissioner of New York City Police Department

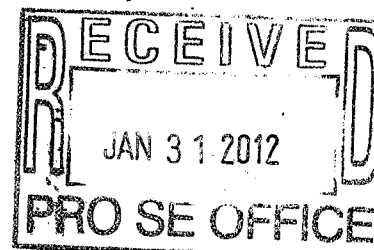
(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. No addresses should be included here.)

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Robert T. Hollis
 ID # 141-11-15384 N.Y.S.I.D.# 070609242
 Current Institution A.M.K.C. C-95
 Address 18-18 Hazen St.
East Elmhurst, NY 11370

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.



Defendant No. 2

Address 10-25 Astoria Boulevard
East Elmhurst, N.Y. 11370
Name Jos. B. Schiro Commissioner of New York
Where Currently Employed All City Boroughs
Address 70-25 Astoria Boulevard Site #110
East Elmhurst, New York 11370

Defendant No. 3

Name Mr. Robert Cripps, Warden Shield #
Where Currently Employed Anna M. Cross / C-95
Address 18-18 Hazen Street
East Elmhurst, N.Y. 11370

Defendant No. 4

Name Hon. Michael R. Bloomberg Shield #
Where Currently Employed City of New York
Address City Hall
New York NY 10807

Defendant No. 5

Name Mr. Raymond Kelly Commissioner of NYC Police Shield # Department
Where Currently Employed All Borough
Address 1 Police Plaza
New York, N.Y. 10038

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur? ANNA M. CROSS
C-95

B. Where in the institution did the events giving rise to your claim(s) occur? All areas that
are accessible by the prison population

C. What date and approximate time did the events giving rise to your claim(s) occur? 11-23-11 at all
areas of 2-main reception at this facility to the current
postmarked date

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☒ No ☐ Do Not Know ☒

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☐ No ☐ Do Not Know ☒

If YES, which claim(s)? _____

D. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose not cover some of your claim(s)?

Yes ☐ No ☐ Do Not Know ☒

If YES, which claim(s)? _____

E. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☒ No ☐

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☐ No ☐

F. If you did file a grievance, about the events described in this complaint, where did you file the grievance? In the facility grievance box that is collected by

Grievance Personal

1. Which claim(s) in this complaint did you grieve? All of them either directly or by citing section of minimum standard that are being violated

2. What was the result, if any? Nothing, nothing has been done at all. my grievance has not been answered or responded to at all

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. there was never a decision 2 Appeal because I.G.R.C. never process or provided any steps 2 Appeal they ignored my grievance

1. If YES, whom did you inform and when did you inform them? _____

2. If NO, why not? _____

I. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. I filed a grievance addressing all of these matters and waited 7 days for a response to my grievance but none ever came. I also spoke to area officers about issues concerning their areas, areas captains were also made aware. The warden was sent a letter by me, Commissioner Jacob Schirio was also sent a letter.

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the court to do for you. I am seeking the amount of \$150,000.00 for being impermissibly punished, violation of my rights protected by the United States Constitution 6th, 8th, & 14th as well as the NY State Constitution punitive damages for deliberate indifference for failure to act by defendants in the employ of NYC department of corrections. Also the same punitive damages are being sought against the mayor of NYC & the police commissioner for their joint arrest policies / procedure that have led to their over crowding of jails due to the aggressive nature in enforcing arrest for minor offenses that could or should have been handled with tickets. Also for violation of consent decrees set by the justice of the Southern District Court in relation to over crowding as well as contempt of court for violation same court orders made in the Southern district of New York Hon. Judge Lasker.

VI. Previous lawsuits:

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes _____ No ☒

1. Parties to this previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes ____ No ____

If NO, give the approximate date of disposition _____

7. What was the result of the case? (for example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

D. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes ____ No ☒

E. If your answer to D is YES, describe each lawsuit in questions 1 through 7 on the next page. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to this previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit: _____

6. Is the case still pending? Yes ____ No ____

If NO, give the approximate date of disposition _____

7. What was the result of the case? (for example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

Signature of Plaintiff

Robert Hollis

Inmate Number

141-11-15384 / 070609242

Mailing address

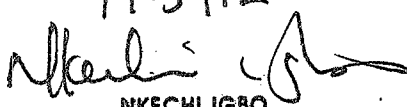
18-18 Hazen St East Elmhurst
NY 11370 or 10 Sackman St
Bklyn NY 11233
Apt 17

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 13 day of JAN, 2012, I will deliver this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

Robert Hollis

1/13/12

NKECHI IGBO
NOTARY PUBLIC-STATE OF NEW YORK
No. 011G6163948
Qualified in Queens County
My Commission Expires April 09, 2016

Reason

(A)

2E

I AM SUBMITTING THIS GRIEVANCE ABOUT THE OVERCROWDED CONDITIONS OF THIS FACILITY AND THE COLLATERAL EFFECTS OR DAMAGES AS A RESULT OF THESE CONDITIONS.

OFTEN TIMES I REQUEST THINGS, THAT THE NEW YORK CITY DEPARTMENT OF CORRECTIONS IS SUPPOSED TO SUPPLY ON AN "AS NEEDED BASIS", SUCH AS TOILET PAPER, SOAP, TOOTH PASTE (FOR INDIGENT PRISONERS LIKE MYSELF) AND RAZORS TO SHAVE AND HAVE BEEN TOLD THAT THERE IS NONE. THIS BECOMES MORE OFTEN THAN NOT. THERE ARE TIMES THAT THESE THINGS ARE NOT REPLENISHED FOR DAYS (MORE THAN 3 DAYS) AT A TIME.

I HAD A LADY FRIEND THAT WAS COMING UP TO VISIT ME, BUT WHEN SHE WAS MADE TO WAIT OUTSIDE OF THE CENTRAL CASHEERS BUILDING FOR MORE THAN AN HOUR AND A HALF JUST TO REGISTER FOR A VISIT SHE GOT BACK ON THE BUS AND WENT HOME, FRUSTRATED.

ACCORDING TO THE MINIMUM STANDARDS OF THE N.Y.C. DEPT. OF CORRECTIONS THERE ARE THINGS THAT I AM SUPPOSED TO GET BUT DUE TO THE ~~OVERCROWDING~~ OVERCROWDING OF THIS FACILITY (AS WELL AS OTHERS) I DON'T RECEIVE THESE THINGS OR SERVICES.

EVEN UPON ENTERING INTO THIS FACILITY, I WAS NOT GIVEN A CAP, TOOTH PASTE AND TOOTH BRUSH. THAT'S BECAUSE THERE IS NOT ENOUGH FOR ALL OF THE PRISONERS WHEN THERE SHOULD BE... AT THE VERY LEAST THE 40 FEET (SQUARE FEET) OF LIVING SPACE IS ABSOLUTELY NON-EXISTENT.

IT TAKES ABOUT TWICE AS LONG TO GO THROUGH THE MEDICAL INTAKE PROCESS AS IT SHOULD.

ALL OF THIS IS EITHER DIRECTLY RELATED TO THE OVERCROWDED CONDITIONS OF THIS FACILITY OR THEY ARE COLLATERAL RESULTS THEREOF THAT STILL AFFECT ME DIRECTLY.

THIS MUST STOP. STOP OVERCROWDING THE JAIL(S). I HAVE DONE GRIEVANCES ABOUT THIS IN OTHER FACILITIES. (O.B.C.C. IN 2010 AND 2009) I WISH THIS GRIEVANCE REVISITED AND LOGGED. I WISH FOR THE GRIEVANCE TO BE HEARD.

A COPY OF THIS GRIEVANCE HAS BEEN MADE FOR INTEGRITY PURPOSES. YOU HAVE 5 DAYS TO RESPOND TO THIS GRIEVANCE. FAILURE TO ADDRESS THIS GRIEVANCE WILL SATISFY THE EXHAUSTION OF ADMINISTRATIVE REMEDIES OF PLRA.

Respectfully Submitted
Robert Hallis

... FOR INDECENT PRISONERS (SOCKS, UNDERWEAR, UNDER-SHIRT, PANTS AND SHIRTS) BECAUSE THERE ARE TOO MANY PRISONERS TO PROVIDE THIS SERVICE FOR. THE COMMENSARY IS OFTEN UNDERSTOCKED WITH FOOD ITEMS THAT ARE USED TO SUPPLEMENT THE ITEMS THAT THE MAIN KITCHEN FAILS TO PROVIDE IN THE AVERAGE DIETARY REGIMEN AND ALSO THE COMMENSARY FAILS TO PROPERLY STOCK SNACK ITEMS AND COFFEE BECAUSE THERE ARE TOO MANY PRISONERS IN THIS FACILITY AS WELL AS IN THE OVERALL CORRECTIONAL SYSTEM.

AT ONE POINT, I HAD A VISITOR THAT WAS WANTING TO VISIT ME AND AFTER GETTING FRUSTRATED BY THE AMOUNT OF TIME IT WAS TAKING FOR THE REGISTRATION PROCESS DUE TO THE ENORMOUS CROWD OF REGISTRANTS, MY EXPECTED VISITOR TURNED AROUND AND WENT HOME; THERE WAS NOT ENOUGH LINES IN THE WAITING AREAS.

GOING TO COURT THE PRISONERS ARE PACKED INTO HOLDING PAST THE CAPACITY OF WHAT THE NEW YORK CITY DEPARTMENT OF HEALTH WOULD DEEM ACCEPTABLE, AND COMING BACK FROM COURT VISITS THE CONDITIONS ARE EVEN WORSE. THERE ARE TOO MANY PEOPLE TO PROVIDE TRAYS TO EAT OFF OF AND IT IS COMMON PRACTICE FOR THE INTAKE STAFF TO ORDER THE INTAKE WORKERS TO JUST HAND THE PRISONERS A SANDWICH (MAIN COURSE'S MEAT PORTION BETWEEN 2 SLICES OF BREAD) THROUGH THE SERVICE PORT WINDOW OF THE INTAKE'S PANTRY. THEY ALSO DO NOT PROVIDE HALAL FOOD. PEOPLE ARE DISUADED FROM EATING BY TELLING THEM THEY'LL MISS THE COURT. THERE ARE SO MANY PRISONERS THAT TWO INTAKES ARE USED IN THE MORNING, BUT, ALL OF THOSE PRISONERS RETURNING FROM COURT ARE PACKED INTO 3 HOLDING PENS. FIGHTS OFTEN BREAK OUT IN THE PENS, IN FACT, THE LEVEL OF VIOLENCE HAS RISEN TO THE POINT THAT THERE ARE SO MANY ALARMS THAT PROGRAMS AND MOVEMENT IN THE FACILITY IS REGULARLY DISRUPTED.

THERE IS NOT ENOUGH LEGAL MATERIALS IN THE LAW LIBRARY AND OFTEN THE LAW LIBRARY SESSIONS ARE CALLED LATE OR ENDED EARLY DUE TO THE OVER-CROWDED CONDITIONS THEREIN. OFTEN THE LEGAL COORDINATORS LEAVE EARLY OR DO NOT EVEN APPEAR FOR AN ENTIRE 8 HOUR WORK DAY. FREQUENTLY I AM UNABLE TO COMPLETE MY LEGAL RESEARCH OR GET MY LEGAL WORK AND/OR SUPPLIES.

HON. MICHAEL R. BLOOMBERG, MAYOR OF NEW YORK CITY AND MR. RAYMOND KELLY, THE COMMISSIONER OF THE NEW YORK CITY POLICE DEPARTMENT HAVE BEEN NAMED AS DEFENDANTS IN THIS ACTION DUE TO THEIR JOINT POLICY OF OVERLY AGGRESSIVE ARREST POLICIES AND MANDATES (ARRESTING PEOPLE FOR RIDING BIKES ON SIDEWALKS, WALKING THROUGH SUBWAY CARS, OPEN CONTAINERS ETC...) FOR INFRACTIONS THAT ARE CUNABLE BY TICKETS TO APPEAR IN COURT HAVE GREATLY CONTRIBUTED TO THE OVER-CROWDING OF THE JAIL. THEY TOO, THEREFORE ARE EQUALLY RESPONSIBLE FOR THE CONDITIONS AND ALSO THAT THE NEW YORK CITY DEPARTMENT OF CORRECTIONS MINIMUM STANDARDS BEARS THE SEAL OF THE CITY OF NEW YORK AND THE NAME OF HON. MICHAEL R. BLOOMBERG THEREBY MAKING THESE CONDITIONS ALSO UNDER THE

(CONTINUED ON PAGE DIII FACTS)

DIRECT CONTROL AND SUPERVISION OF HIS HONOR, THE MAYOR. IN ADDITION TO THE FACT THAT THE MAYOR APPOINTS THE COMMISSIONERS THAT HAVE BEEN NAMED IN THE LIST OF DEFENDANTS.

THE NAMED DEFENDANTS ARE IN VIOLATION OF THE FOLLOWING SECTIONS OF THE NEW YORK CITY DEPARTMENT OF CORRECTIONS MINIMUM STANDARDS;

HYGIENE - § 1-03

(a), (b)(1), (c)(1), (f)(1)(i-v), (f)(3), (g)(1), (i)(1), (j)(1), (j)(3)(iii).

OVERCROWDING - § 1-04

(a), (c)(2), (c)(3), (c)(5)(i), (c)(5)(ii).

RECREATION - § 1-06

(a), (b), (d)(1), (d)(2).

ACCESS TO COURTS - § 1-08

(a), (b), (f)(1), (f)(2)(i), (f)(4), (g)(1), (g)(3), (h)(1), (i), (j)

VISITING - § 1-09

(a), (b)(1), (b)(2), (b)(3), (b)(4)(i), (b)(4)(ii), (b)(4)(iii), (b)(5)

TELEPHONE CALLS - § 1-10

(a), (b)

PACKAGES - § 1-12

(a), (d)(1), (d)(3)

I AM BEING IMPERMISSIBLY PUNISHED IN VIOLATION OF MY CONSTITUTIONAL RIGHTS (6TH, 8TH & 14TH AMENDMENTS) AND ALL DEFENDANTS HAVE SHOWN DELIBERATE INDIFFERENCE FOR THEIR FAILURE TO ACT AND WORRENT THESE PROBLEMS, AND ALL DEFENDANTS ARE IN CONTEMPT OF COURT FOR VIOLATION OF COURT ORDERED CONSENT DECREES MADE BY HON. JUDGE LASKER, DISTRICT JUDGE OF THE SOUTHERN DISTRICT OF NEW YORK.

GRIEVANCE FORM

FACILITY: AMEL M. KROSS CENTER (AMKC)

GRIEVANCE #

GRIEVANT'S NAME: Robert Holts

DOC 141-11-15384

CATEGORY:

HOUSING AREA: W 18 up B DATE: 1-6-12

All grievances must be submitted within 10 business days of incident and should be handwritten by the grievant only. This sheet should be used as a worksheet from which the grievance is typed onto the "Inmate Grievance Form" and remains filed in the grievant's folder.

Grievance: on different occasions I request as needed the basic minimum standard by law ie Toothpaste, toothbrush toilet paper, soap & I always that do not have or we are waiting for supplies how often is that & how long does that take, trays are unclean almost every chow time I'm on A Diet or I don't eat Red meat or fish cause I'm allergic

Receipt # (if Applicable)

Action Requested: To supply me with I'm entitled to & make sure I'm getting the necessary minimum standard

Have you filed this grievance with any other Agency or Court? ☒ Yes ☐ No

Have you filed this grievance with the Inspector General's Office? ☒ Yes ☐ No

☒ Grievant agrees to have his statement edited for clarification by the IGRC staff.

☐ I am requesting that the grievance be written for me by the IGRC staff.

Grievant's Signature